

United States Environmental Protection Agency
Fact Sheet/Briefing Memorandum
for the Issuance of a National Pollutant Discharge Elimination System Permit

Date: August 28, 2002

Permit No.: WI-S062286

Permit will expire on October 17, 2007

McClure Engineering Associates, Inc., Wal-Mart Store No. 1453-00 Expansion Project Permit

Description of the activity for which the permit has been drafted

The existing permit authorizes the discharge of storm water associated with construction activities from the Wal-Mart Store No. 1453-00 Expansion Project.

McClure Engineering Associates, Inc. is currently planning the Wal-Mart Store No.1453-00 Expansion Project in Wisconsin. This project will involve the construction of a 99,699 square foot grocery store addition onto the existing store creating a 211,052 square foot Super Center. The expansion will affect 14.7 acres of land which will be cleared and graded as necessary to create a level, stable working surface to create the new addition and to expand the parking lot. This project is located within the exterior boundaries of the Oneida Indian Reservation. The address of the project is 2440 West Mason Street, Green Bay, Wisconsin 54303.

Type of waste waters and pollutants to be discharged

Construction sites exposed to storm water (rainfall and snowmelt) can result in soil erosion and offsite transport of sediment, particularly if these sites are not properly managed through implementation and maintenance of sound erosion and sediment control practices. The permittee expects to discharge storm water associated with construction activities from Wal-Mart Expansion Project.

Special Conditions for Draft Permit

In 1987, Congress reauthorized the Clean Water Act (CWA). Section 402(p)(2) of the 1987 CWA requires NPDES permits for storm water discharges associated with industrial activity. USEPA has defined storm water discharges associated with industrial activity to include storm water discharges from construction sites which disturb 5 or more acres (40 CFR 122.26(b)(14)(x)). McClure will be required to develop and implement a Storm Water Pollution Prevention Plan and a Storm Water Management Plan.

The Endangered Species Act - Section 7 of the Act and implementing regulations require the Regional Administrator to ensure that any action authorized by USEPA is not likely to adversely affect federally-listed endangered or threatened species or critical habitat. The permittee has consulted with the U.S. Fish and Wildlife Service, who has determined in their letter dated January 9, 2002 that there will be no impact to federally-listed endangered or threatened species or critical habitat.

National Historic Preservation Act - Section 106 of the National Historic Preservation Act (NHPA) requires that Federal Agencies consider the impact of their actions on historic

properties. The permittee has consulted with the Oneida Cultural Heritage Department. The permittee must comply with the recommendations made by the Oneida Cultural Heritage Department in their letter dated May 21, 2002.

Procedures for reaching a final decision on the draft modified permit

Comment Period: Interested parties may submit written comments on the draft permit within 30 days of the date of the public notice. Comments should be delivered or mailed to:

Attention: Brian Bell
U.S. Environmental Protection Agency, Region 5
NPDES Programs Branch (WN-16J)
77 West Jackson Boulevard
Chicago, Illinois 60604

Interested parties may also send electronic comments via email to: bell.brianc@epa.gov

Where to find a copy of the draft modified permit: send your request to the above address or via email to bell.brianc@epa.gov, or electronic copy of the draft modified permit can be found at U.S. EPA, Region 5, NPDES Programs Webpage at the following internet address:
<http://www.epa.gov/r5water/npdestek/npdcfrp.htm>

Procedures for requesting a hearing: Any person may request a Public Hearing on the issuance of this permit. The request must be submitted in writing within 30 days of the date of the Public Notice, and should be mailed or delivered to the above address or via email to: bell.brianc@epa.gov. USEPA will hold a Public Hearing if there is a significant degree of public interest in the proposed permit.

For additional information: Please contact Brian Bell at the above address, via email to: bell.brianc@epa.gov or by calling (312) 886-0981.